

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 2-6, 8-10, 21, 23-32 and 35 are currently being prosecuted. Claims 25, 26 and 29 stand withdrawn from further consideration. The Examiner is respectfully requested to reconsider the rejections in view of the Amendments and Remarks as set forth hereinbelow.

ALLOWABLE SUBJECT MATTER

It is gratefully acknowledged that the Examiner considers the subject matter of claims 33 and 34 as being allowable if rewritten in independent form. Although not conceding the appropriateness of the Examiner's rejections, claim 21 has been amended to include the subject matter of claim 33. Claims 33 and 34 have been cancelled. Claims 2-6, 8-10, 21, 23, 24, 27, 28, 30-32 and 35 are now in condition for allowance.

CLAIM FOR PRIORITY

It is gratefully acknowledged that the Examiner has recognized the Applicant's claim for foreign priority. In view of the fact that the Applicant's claim for foreign priority has been perfected, no additional action is required from the Applicant at this time.

DRAWINGS

It is gratefully acknowledged that on December 7, 2000 the Examiner approved the corrections to the Formal Drawings submitted by the Applicant on July 6, 1999. The drawings comply with the requirements of the USPTO. No further action is necessary.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to acknowledge the Information Disclosure Statement filed on May 10, 1999. An initialed copy of the PTO/SB/08A should be sent to the undersigned at the earliest convenience of the Examiner.

OBJECTION TO THE CLAIMS

Claims 33 and 34 stand objected to for an informality. Claims 33 and 34 have been cancelled. Claim 33 has been added to claim 21. The typographical error with respect to changing "in" to – is – has been changed when claim 33 was added to claim 21. Claims 2-6, 8-10, 21, 23, 24, 27, 28, 30-32 and 35 are now in condition for allowance.

WITHDRAWN CLAIMS

Claims 25, 26 and 29 stand withdrawn as being directed to a non-elected invention. As the Examiner will note, claims 25, 26 and 29 depend from claim 21. Claim 21 is in condition for allowance and is the only independent claim. The Examiner is respectfully requested to

reconsider his restriction requirement and allow claims 25, 26 and 29. If the Examiner continues with his restriction requirement, the Examiner is authorized to cancel claims 25, 26 and 29 in order to place the present application in condition for allowance. Applicant reserves the right, if necessary, to file a divisional application directed to the subject matter of claims 25, 26 and 29.

REJECTIONS UNDER 35 USC 102 and 103

Claims 21, 24, 27, 28, 30-32 and 35 stand rejected under 35 USC 102 as being anticipated by Rudolph, EPO 0 339 206. Claims 2-6, 8-10 and 23 stand rejected under 35 USC 103 as being unpatentable over Rudolph, EPO 0 339 206 in view of Tagashi, US 4,175,308. These rejections are respectfully traversed.

As indicated above, although not conceding the appropriateness of the Examiner's rejections but merely to advance the prosecution of the present application, claim 33 has been cancelled and the subject matter has been added to claim 21. Claims 2-6, 8-10, 21, 23, 24, 27, 28, 30-32 and 35 are now in condition for allowance. The Examiner's rejections have been obviated.

REQUEST FOR INTERVIEW

If the Examiner has any questions with regard to this application please contact the undersigned so that an interview can be arranged in connection with this application.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendments and remarks, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. A full and complete response has been made to the outstanding Office Action. The present application is now in condition for allowance.

A prompt and favorable consideration of this Amendment is respectfully requested.

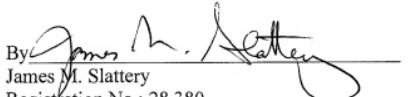
Application No. 09/156,394
Amendment dated March 31, 2009
Reply to Office Action of December 31, 2008

Docket No.: 0038-0294P
Art Unit: 3744
Page 10 of 10

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: March 31, 2009

Respectfully submitted,

By 
James M. Slattery
Registration No.: 28,380
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant